

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN PAUL DURBIN,

Plaintiff,

v.

**Civil Action 2:25-cv-00013
District Judge Michael H. Watson
Magistrate Judge Jolson**

JOSEPH BIDEN, et al.,

Defendants.

ORDER

Before the Court are Plaintiff's Motion by Pro Se Litigant to Obtain Electronic Case Filing Rights (Doc. 3) and his Motion for Service By USPS Priority Mail Express (Doc. 4). Plaintiff's first Motion (Doc. 3) is **GRANTED in part** and **DENIED in part**. His second Motion (Doc. 4) is **DENIED**.

I. BACKGROUND

Plaintiff, an Ohio resident proceeding *pro se*, describes himself as a "citizen-journalist-activist." (Doc. 1 at 3). On January 8, 2025, Plaintiff filed this action against twelve individuals, including the current President of the United States, several members of Congress, and members of the executive branch. (*See id.*). In his Complaint, Plaintiff says that he is seeking declaratory and injunctive relief against Defendants for the "full exercise and enjoyment" of his constitutional rights. (*Id.* at 2). According to Plaintiff, his lawsuit has "five interconnected loci," (*id.* at 6), which focus on Congress's handling of national debt matters and Plaintiff's belief that his rights under the First Amendment have been violated, (*id.* at 9–13).

In addition to his Complaint, Plaintiff also filed two motions: one to obtain electronic filing rights in this case, (Doc. 3), and one to serve Defendants Biden, Young, and Yellen via “USPS Priority Mail Express,” (Doc. 4). Those Motions are ripe for review.

II. DISCUSSION

In his first motion, Plaintiff asks the Court for permission to file documents electronically. (Doc. 3). Generally, only attorneys in this District may file documents in this manner, and the “grant of electronic filing privileges is a privilege granted to pro se litigants in the discretion of this Court.” *Needham v. Butler Cnty. Jail*, No. 1:19-cv-294, 2019 WL 5883643, at *2 (S.D. Ohio Nov. 12, 2019); *see, e.g.*, S.D. Ohio Civ. R. 3.1(a) (noting that complaints may be filed electronically, except by those who proceed *pro se*); S.D. Ohio Civ. R. 5.1(c) (discussing that *pro se* litigants may file by paper). So, in its discretion, the Court **GRANTS in part** and **DENIES in part** Plaintiff’s Motion. (Doc. 3). Plaintiff may receive documents filed in this case electronically via e-mail at the address provided in his Motion. (*Id.*). But he may not file his own documents electronically. Plaintiff is advised that the Court may, in its discretion, revoke or restrict these privileges at any time should he abuse this privilege or fail to comply with the Local Rules.

Turning to Plaintiff’s second motion regarding service, Plaintiff says that Defendants Biden, Young, and Yellen must be served by “USPS Priority Mail Express” before their “formal federal service ends at noon” on January 20, 2025. (Doc. 4 at 2). As such, he moves the Court to use this method of service for these Defendants, rather than “USPS Certified Mail.” (*Id.*). The Motion is **DENIED**. Service in this matter will proceed according to this District’s Local Rules and the Federal Rules of Civil Procedure. *See* S.D. Ohio Civ. R. 4.1 (outlining what materials are needed for service of process); S.D. Ohio Civ. R. 4.2 (describing that parties should first attempt to obtain a waiver of service before proceeding with service by certified mail under Ohio law); Fed. R. Civ. P. 4

(discussing service in federal courts); Ohio Civ. R. 4.1 (outlining methods of service under Ohio law).

Lastly, for assistance with his case moving forward, Plaintiff may wish to consult the *Pro Se* Handbook, which is available on the Court's website: <https://www.ohsd.uscourts.gov/pro-se-handbook>.

III. CONCLUSION

Plaintiff's Motion by Pro Se Litigant to Obtain Electronic Case Filing Rights (Doc. 3) is **GRANTED in part** and **DENIED in part**. Plaintiff may receive documents filed in this action electronically, but he may not file his own documents electronically. Plaintiff's Motion for Service By USPS Priority Mail Express (Doc. 4) is **DENIED**.

IT IS SO ORDERED.

Date: January 13, 2025

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE